

# Notice of Allowability

Application No.

10/613,055

Examiner

Dai A. Phuong

Applicant(s)

MAKUTA, YOSHIHISA

Art Unit

2688

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/06/2006.
2. ☒ The allowed claim(s) is/are 1,4-10 and 12-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

**DETAILED ACTION**

1. This is in response to the Applicant's amendments and arguments filed on 01/06/2006 in which claims 1, 4-10 and 12-22 have been amended, and claims 2-3 and 11 have been canceled. Claims 1, 4-10 and 12-22 are currently pending.

***Reasons for Allowance***

2. The following is an examiner's statement of reasons for allowance:

Claims 1, 4-10 and 12-22 are allowed.

Claims 4-9 are allowed as being depended on independent claim 1.

Claims 12-16 are allowed as being depended on independent claim 10.

Claims 18-21 are allowed as being depended on independent claim 17.

Regarding claim 1, the prior art record does not disclose nor fairly suggest a method of providing access to an information unit by a wireless unit, the method comprising: providing a first position information containing an access enabled area for the wireless unit, the access enabled area falling within a range of communicable area of a wireless access point; obtaining a second position information containing a current position of the wireless unit; if the current position of the wireless unit is within the access enabled area for the wireless unit, then permitting access to the information unit by the wireless unit; and *if the current position of the wireless unit is outside the access enabled area for the wireless unit, then denying access to the information unit by the wireless unit even if the current position of the wireless unit is within the range of communicable area of the access point; wherein the first position information contains a plurality of access enabled areas which fall within the range of communicable area of one or more wireless access points, and wherein if the current position of the wireless unit*

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*is within one of the access enabled areas, then permitting access to the information unit by the wireless unit; wherein the first position information contains a first access enabled area which falls within the range of communicable area of a first wireless access point, the first position information including a GPS position of the first access enabled area and a height of the first wireless access point; wherein the second position information includes as the current position of the wireless unit a GPS position information of the wireless unit and a height of the wireless access point through which the wireless unit is evaluated for access to an information unit; and wherein the current position of the wireless unit is within the first access enabled area of the wireless unit if the current position is within the first access enabled area in both the GPS position information and the height.*

Regarding claim 10, the prior art record does not disclose nor fairly suggest system for providing access to an information unit by a wireless unit, the system comprising: a memory including a first position information containing an access enabled area for the wireless unit, the access enabled area falling within a range of communicable area of a wireless access point; a position module configured to obtain a second position information containing a current position of the wireless unit; and an access module configured, if the current position of the wireless unit is within the access enabled area for the wireless unit, to permit access to the information unit by the wireless unit, and, *if the current position of the wireless unit is outside the access enabled area for the wireless unit, to deny access to the information unit by the wireless unit even if the current position of the wireless unit is within the range of communicable area of the access point; wherein the first position information contains a plurality of access enabled areas which fall within the range of communicable area of one or more wireless access points, and*

*wherein if the current position of the wireless unit is within one of the access enabled areas, then permitting access to the information unit by the wireless unit; wherein the first position information contains a first access enabled area which falls within the range of communicable area of a first wireless access point, the first position information including a GPS position of the first access enabled area and a height of the first wireless access point; wherein the second position information includes as the current position of the wireless unit a GPS position information of the wireless unit and a height of the wireless access point through which the wireless unit is evaluated for access to an information unit; and wherein the current position of the wireless unit is within the first access enabled area of the wireless unit if the current position is within the first access enabled area in both the GPS position information and the height.*

Regarding claim 17, the prior art record does not disclose nor fairly suggest in a computer readable medium storing a program used for providing access to an information unit by a wireless unit, the program comprising: code for providing a first position information containing an access enabled area for the wireless unit, the access enabled area falling within a range of communicable area of a wireless access point; code for obtaining a second position information containing a current position of the wireless unit; code for, if the current position of the wireless unit is within the access enabled area for the wireless unit, permitting access to the information unit by the wireless unit; and *code for, if the current position of the wireless unit is outside the access enabled area for the wireless unit, denying access to the information unit by the wireless unit even if the current position of the wireless unit is within the range of communicable area of the access point; wherein the first position information contains a*

*plurality of access enabled areas which fall within the range of communicable area of one or more wireless access points, and wherein if the current position of the wireless unit is within one of the access enabled areas, then permitting access to the information unit by the wireless unit; wherein the first position information contains a first access enabled area which falls within the range of communicable area of a first wireless access point, the first position information including a GPS position of the first access enabled area and a height of the first wireless access point; wherein the second position information includes as the current position of the wireless unit a GPS position information of the wireless unit and a height of the wireless access point through which the wireless unit is evaluated for access to an information unit; and wherein the current position of the wireless unit is within the first access enabled area of the wireless unit if the current position is within the first access enabled area in both the GPS position information and the height.*

Regarding claim 22, the prior art record does not disclose nor fairly suggest method of providing access to an information unit by a wireless unit, the method comprising: providing a first position information containing an access enabled area for the wireless unit; obtaining a second position information containing a current position of the wireless unit; if the current position of the wireless unit is within the access enabled area for the wireless unit, then permitting access to the information unit by the wireless unit; and *if the current position of the wireless unit is outside the access enabled area for the wireless unit, then denying access to the information unit by the wireless unit even if the current position of the wireless unit is within the range of communicable area of the access point; wherein the first position information contains a plurality of access enabled areas which fall within the range of communicable area*

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*of one or more wireless access points, and wherein if the current position of the wireless unit is within one of the access enabled areas, then permitting access to the information unit by the wireless unit; wherein the first position information contains a first access enabled area which falls within the range of communicable area of a first wireless access point, the first position information including a GPS position of the first access enabled area and a height of the first wireless access point; wherein the second position information includes as the current position of the wireless unit a GPS position information of the wireless unit and a height of the wireless access point through which the wireless unit is evaluated for access to an information unit; and wherein the current position of the wireless unit is within the first access enabled area of the wireless unit if the current position is within the first access enabled area in both the GPS position information and the height.*

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ramos Feliciano Eliseo can be reached on 571-272-7925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dai Phuong

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Date: 03-02-2006



ELISEO RAMOS-FELICIANO  
PRIMARY EXAMINER